

ORIGINAL

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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

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3 ADRIAN SCHOOLCRAFT,

4 PLAINTIFF,

5 -against- Case No.:
10 CV 6005

6 THE CITY OF NEW YORK, DEPUTY CHIEF MICHAEL
7 MARINO, Tax ID. 873220, Individually and
8 in his Official Capacity, ASSISTANT CHIEF
9 PATROL BOROUGH BROOKLYN NORTH GERALD NELSON,
10 Tax Id. 912370, Individually and
11 in his Official Capacity, DEPUTY INSPECTOR
12 STEVEN MAURIELLO, Tax Id. 895117, Individually
13 and in his Official Capacity, CAPTAIN THEODORE
14 LAUTERBORN, Tax Id. 897840, Individually and
15 in his Official Capacity, LIEUTENANT WILLIAM
16 GOUGH, Tax Id. 919124, Individually and
17 in his Official Capacity, SGT. FREDERICK SAWYER,
18 Shield No. 2567, Individually and
19 in his Official Capacity, SERGEANT KURT DUNCAN,
20 Shield No. 2483, Individually and
21 in his Official Capacity, LIEUTENANT CHRISTOPHER
22 BROSCART, Tax Id. 915354, Individually and
23 in his Official Capacity, LIEUTENANT TIMOTHY
24 CAUGHEY, Tax Id. 885374, Individually and
25 in his Official Capacity, SERGEANT SHANTEL JAMES,
Shield No. 3004, Individually and
in his Official Capacity, and P.O.'s "JOHN DOE"
#1-50, Individually and in their Official Capacity,
(the name John Doe being fictitious, as the true
names are presently unknown) (collectively
referred to as "NYPD Defendants"), JAMAICA
HOSPITAL MEDICAL CENTER, DR. ISAK ISAKOV,
Individually and in his Official Capacity,
DR. LILLIAN ALDANA-BERNIER, Individually and
in her Official Capacity, and JAMAICA HOSPITAL
MEDICAL CENTER EMPLOYEE'S "JOHN DOE" #1-50,
Individually and in their Official Capacity,
(the name John Doe being fictitious, as the
true names are presently unknown),

DEFENDANT.

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25 (Continued...)

1 DATE: SEPTEMBER 26, 2013

2 TIME: 10:10 A.M

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4 VIDEO DEPOSITION of the Plaintiff, ADRIAN
5 SCHOOLCRAFT, taken by the respective parties, pursuant to a
6 Court Order and to the Federal Rules of Civil Procedure,
7 held at the offices of Scoppetta, Seiff, Kretz &
8 Abercrombie, Esqs, 444 Madison Avenue, New York New York,
9 10022 before Elizabeth Forero, a Notary Public of the State
10 of New York.

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1 A P P E A R A N C E S:

2 LAW OFFICE OF NATHANIEL B. SMITH
Attorneys for the Plaintiff
3 ADRIAN SCHOOLCRAFT
111 Broadway
4 New York, New York 10006
BY: NATHANIEL B. SMITH, ESQ.

5 -AND-
JOHN LENIOR, ESQ.

6
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8 Attorneys for Defendants
THE CITY OF NEW YORK, DEPUTY CHIEF MICHAEL
9 MARINO, Tax ID. 873220, Individually and
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Shield No. 3004, Individually and
19 in his Official Capacity, and P.O.'s "JOHN DOE"
#1-50, Individually and in their Official Capacity,
20 (the name John Doe being fictitious, as the true
names are presently unknown) (collectively
21 referred to as "NYPD Defendants")
100 Church Street
22 New York, New York 10007
BY: SUZANNA METTHAM, ESQ.

23 -AND-
RYAN SHAFFER, ESQ.
24 File #: 2010-033074
Control #: SSS08994
25 (Continued...)

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22 SCOPPETTA, SEIFF, KRETZ & ABERCROMBIE, ESQS.
23 Attorneys for the Defendant
24 DEPUTY INSPECTOR STEVEN MAURIELLO
25 444 Madison Avenue
26 New York, New York 10022
27 BY: WALTER ALLOYSIUS KRETZ, JR., ESQ.
28 File #: 2010-033074

29 ALSO PRESENT: PETER BENIMOFF, VIDEOGRAPHER
30 MAGDALENA BAUBA

31 * * *

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33

34

35

A. SCHOOLCRAFT

1 A. I don't believe so, no.

2 Q. Did you ever tell anyone else you were recording
3 on the job other than your father and Durk?

4 A. No.

5 Q. Did anyone else in the 81st Precinct indicate to
6 you they were recording on the job?

7 A. No, I don't believe so.

8 Q. Do you know whether or not anyone else recorded
9 on the job as well at the 81?

10 A. Not that I am aware of.

11 Q. Did anyone ever say to you they thought you were
12 recording on the job?

13 A. In the February 2009 meeting, I believe it was
14 Sergeant Weiss that asked me if I was recording.

15 Q. What did you tell him?

16 A. I said -- I don't know if I responded, but I
17 probably said, no.

18 Q. You said no I just have my radio.

19 A. I had my radio off. At that time officers were,
20 if they were being berated by their supervisors, they would
21 click their radio button and that's how they would record
22 that instance. So that is how I played off that question,
23 but I may have said no.

24 Q. So up until October 31st, 2009, or November 1st,
25 2009, no one in the 81st Precinct as far as you know was

A. SCHOOLCRAFT

1 aware you were recording on the job?

2 A. Correct, as far as I know.

3 Q. So once the recordings were on the computer,
4 sorry, do you still have the computer you had back in 2009?

5 A. No.

6 Q. How did you -- did you preserve the recordings
7 you downloaded to your computer when you stopped using it?

8 A. I believe my attorneys already had those
9 recordings.

10 Q. Did you give them your computer or did you
11 download your recordings and give the recordings to your
12 attorney?

13 A. I believe they received them on a disc or a
14 couple of discs.

15 Q. Did you do that?

16 A. I believe so, yes.

17 Q. At the time you intended to transfer to those
18 discs every recording you had made that still existed?

19 A. Correct.

20 Q. Have you read to the Raymond book?

21 A. The Raymond book?

22 Q. Graham Raymond.

23 A. No, I haven't read it.

24 Q. In there he described the practice you followed
25 as far as recording on the job. I guess he indicates you

A. SCHOOLCRAFT

1 recorded whole tours, every day and went home and
2 downloaded the recordings at the end of the day and that
3 was the routine. Did you ever tell him that?

4 MR. SMITH: Objection to form. You can
5 answer.

6 A. No.

7 Q. Do you know whether somebody else told him that?

8 MR. SMITH: Objection.

9 A. I don't if anybody else told him that.

10 Q. Have you ever spoken with Raymond?

11 A. I have spoken with Raymond.

12 Q. How many times?

13 A. Well, it has been years since I have spoken to
14 him. At least a couple of dozen times.

15 Q. When is the last time you spoke with him?

16 A. I believe it was 2012 in that period.

17 Q. Why have you not spoken to him since?

18 A. I haven't -- I don't know -- well, I believe that
19 is around the time that I was being accused of giving him
20 information. And there was no -- basically I had
21 attorneys -- I had -- that wasn't the only reason I went to
22 the media, but I guess -- I can't say what my attorneys
23 have told me -- but it was better to -- since it was going
24 to be in trial that's when it will be public.

25 Q. When was the first time you spoke to Raymond?

A. SCHOOLCRAFT

1 A. Early 2010.

2 Q. How did that come about?

3 A. I don't recall. I probably e-mailed him
4 underneath an article.

5 Q. You think you reached out to him?

6 A. I believe so.

7 Q. Thereafter, did you ever meet with him?

8 A. I met him a few times.

9 Q. A few, literally three times?

10 MR. SMITH: He said a few.

11 MR. KRETZ: A few is three.

12 A. At least three.

13 Q. Did you provide any documents or information to
14 him?

15 A. I don't recall what I gave him. In the
16 beginning, I think it was just information.

17 Q. Just conversation?

18 A. I don't recall giving him documents or him
19 showing interest in documents.

20 Q. You just spoke with him in the beginning?

21 A. To the best of my memory, yes.

22 Q. Did you ever communicate with him by e-mail?

23 A. Yes.

24 Q. Did you ever provide any attachments to e-mails
25 for him?

A. SCHOOLCRAFT

1 Q. Did that correspond to the use of this laptop or
2 were you using it at the library as well?

3 A. I was using it at the library.

4 Q. And you continue to use now it on the laptop?

5 A. Yes.

6 Q. Do you use it for all your e-mail or just your
7 e-mail for your attorneys?

8 A. I only have one e-mail for all e-mails.

9 Q. I just want to check. In the transcript from
10 your first deposition session you indicated that your
11 e-mail address at that time from October 2012 was
12 Schoolcraft@Gmail.com.

13 A. SchoolcraftAP@Gmail.com that would have been a
14 mistake, if I did say that. But, no, actually I believe
15 that when I reviewed that all the letters were spelled out,
16 I could be wrong. I believe it was S-C-H and -- if it is
17 not in there it is a mistake. It's not in there.
18 Schoolcraft, S-C-H-O-O-L-C-R-A-F-T, A as in Adam or Adrian,
19 P as in Paris at Gmail dot com.

20 Q. Getting back to Mr. Raymond, when did you first
21 communicate with him, sometime in 2010?

22 A. I believe it would be early 2010.

23 Q. When is the last time you communicated with him?

24 A. 2012, summer 2012.

25 Q. Was it your custom to printout e-mail that you

A. SCHOOLCRAFT

1 twenty minutes left. That's it.

2 MR. SMITH: You are prepared to start right
3 now.

4 MR. KRETZ: I have twenty minutes or ten
5 minutes or whatever.

6 MR. SMITH: Make up your mind. We have
7 already waisted a half an hour of your time as
8 far as I am concerned.

9 BY MR. KRETZ:

10 Q. Mr. Schoolcraft, do you believe the events of
11 October 31st, 2009, at your at apartment and thereafter,
12 were the acts of retaliation by members of the NYPD?

13 A. Yes.

14 Q. Who do you think was retaliating against you?

15 A. Inspect Mauriello and his administration.

16 Q. Who in his administration do you think was
17 retaliating against you as opposed to doing whatever it was
18 they were assigned to do on that evening? Who in
19 particular was retaliating against you?

20 A. Inspector Mauriello was there. Captain
21 Lauterborn was there.

22 Q. Who do you think was retaliating against you that
23 night?

24 MR. SMITH: He is answering the question.

25 A. That would be the supervisors from the 81st

A. SCHOOLCRAFT

1 Precinct coming over to Glendale, Queens into that
2 precinct, that would be like you stated not performing
3 their duties where they are supposed to be. And they were
4 at my home.

5 Q. So any supervisor from the 81 that came to your
6 home you think was retaliating against you?

7 A. Correct.

8 Q. That is Mauriello, Lauterborn, who else?

9 A. Marino, Chief Marino was there.

10 Q. He is not from the 81?

11 A. He was from Brooklyn North. He was out of his
12 borough.

13 Q. He was the highest ranking officer there?

14 A. I don't believe so, no.

15 Q. Who else was there that was higher ranking than
16 him?

17 A. I guess uniformed, yes.

18 Q. Was there anybody in a non uniform that was
19 higher ranking?

20 A. I believe the deputy commissioner of public
21 information is, I am not sure how that works, but I believe
22 he is a civilian.

23 Q. You believe he was there?

24 A. Well, I saw him there.

25 Q. Anyone else? Was that person Paul Brown?

A. SCHOOLCRAFT

1 A. Correct.

2 Q. Was he retaliating against you?

3 A. I would consider that retaliation. I don't know
4 why he was there.

5 Q. Why would he have been retaliating against you?
6 What would he have wanted to retaliate against you for?

7 A. I am only theorizing he was there because of what
8 I was reporting.

9 Q. Do you have any evidence to support he knew what
10 you were reporting on?

11 MR. SMITH: Objection to form.

12 Q. He went there because he learned of that?

13 A. Not at this time, no.

14 Q. How about Marino, was he retaliating against you?

15 A. Yes.

16 Q. Why was he retaliating against you?

17 A. Maybe retaliation, I mean he was there assisting,
18 yes, fine it is retaliation.

19 Q. Who else, next Mauriello, why do you think he
20 would be retaliating against you?

21 A. Because I reported him to QUAD.

22 Q. Do you have any evidence indicating to you that
23 he knew you reported him to QUAD or complained about him to
24 QUAD?

25 A. It is my understanding that we do have documents,

A. SCHOOLCRAFT

1 an IAB interview or something.

2 Q. I am asking what indicated that to you. What is
3 it you are talking about that you know?

4 A. That I know now?

5 Q. If you know it now or then, whenever you knew it,
6 what indicated to you Mauriello was retaliating against you
7 because you reported him to QUAD?

8 A. Well, was that one question?

9 Q. Let me start over.

10 A. The second part I can answer.

11 Q. Do you have any indication that Mauriello knew
12 you complained about him to QUAD?

13 A. I believe we do.

14 Q. I am asking you. What do you know?

15 MR. SMITH: Independent of any discussions
16 you may have had with your attorneys which I
17 asked you to exclude from the answer.

18 A. Other than that, I don't know.

19 Q. When did you first suspect he knew you had
20 complained about him to QUAD?

21 A. It would been definitely October 31st, 2009.

22 Q. You suspect that because he was there?

23 A. Well, their behavior.

24 Q. What did Mauriello do that night to indicate to
25 you he was aware you had complained to QUAD?

A. SCHOOLCRAFT

1 A. I believe he caused it.

2 Q. Caused what?

3 A. Caused the hoopla, all the officers. He blocked
4 off my street with his company car, his Blazer, he had at
5 the time.

6 Q. Anything else?

7 A. Not that I recall right now.

8 Q. How did you he act towards you?

9 A. He was there in my home and like you're coming
10 with me, come on get up and go, something to that effect.

11 Q. Then what did you do?

12 A. Then I don't know.

13 Q. Anything else you can point to that indicated to
14 you that he knew you had complained about him to QUAD?

15 A. Right now I don't remember anything else.

16 Q. Term Mauriello Special is that an expression you
17 used or did others use it as well?

18 A. I believe, if I didn't use it, I was familiar
19 with it. We were aware of it. It was brought up in roll
20 calls.

21 Q. Did it indicate any kind of impropriety as far as
22 you were concerned?

23 A. I believe so.

24 Q. What was the impropriety?

25 A. A Mauriello Special was another term for a bag of

A. SCHOOLCRAFT

1 Q. Well, who might you give a recording device to?

2 MR. SMITH: Objection to form.

3 A. No one other than my father.

4 Q. Other than your father you can't think of anyone
5 to whom you might have gifted this recording device?

6 A. Correct.

7 Q. Or sold?

8 A. Correct.

9 Q. Now, in your Second Amended Complaint are you
10 aware you added claims relating to NYPD visits to your home
11 in John's Town, New York?

12 A. I believe so.

13 Q. What is your understanding why NYPD officers
14 visited your home in John's Town, New York in December
15 2009?

16 A. To intimidate and harass me.

17 Q. Why do you believe that?

18 A. Because of their actions on Halloween, on October
19 31st, 2009 and the misconduct and criminal allegations I
20 made against various supervisors of the New York City
21 Police Department.

22 Q. Were all of the NYPD officers who visited your
23 home in John's Town, New York the same who were in your
24 apartment on October 31st, 2009?

25 MR. SMITH: Objection to form.

A. SCHOOLCRAFT

1 A. I don't know.

2 Q. What specifically did the NYPD officers who
3 visited your home in John's Town, New York do that made you
4 believe you they were intimidating and harassing you?

5 MR. SMITH: Objection to form.

6 A. Banging on my door, posting themselves outside my
7 apartment, intimidating me, preventing me from leaving.

8 Q. How were they intimidating you?

9 A. They were armed and standing by either my
10 apartment door or right outside my apartment complex,
11 building or parked at the entrance exit to the apartment
12 complex.

13 Q. Aside from officers who are on modified
14 restricted duty, do most police officers carry a weapon?

15 A. I believe so.

16 Q. So why did you believe it was strange these
17 officers were armed?

18 A. I never said it was strange they were armed.

19 Q. You but believe it was a fact that contributed to
20 your belief they intimidated you; is that correct?

21 A. That's correct.

22 Q. Why did the fact officers who generally carry
23 guns, who were carrying guns on this day, indicate to you
24 they were intimidating you?

25 A. Because they had guns, and at one time, when I

A. SCHOOLCRAFT

1 did answer the door the officer, he may have been a
2 sergeant, had his hand on his gun.

3 Q. You carried a gun for years; is that correct?

4 A. Correct.

5 Q. In a resting position, did you ever leave your
6 hand on your service weapon?

7 A. What was that? Leave my hand where?

8 Q. Did you ever place your hand on your service
9 weapon while in a resting position?

10 A. I believe so.

11 Q. Now, you said you answered the door -

12 A. Did you say arresting or resting?

13 Q. Resting.

14 A. No.

15 Q. You never in a resting position just placed your
16 hand on your gun?

17 A. I don't believe so, no. Again, I want to point
18 out that officer was in plain clothes.

19 Q. Do police officers who are on duty in plain
20 clothes typically carry weapons?

21 A. I believe so.

22 Q. You said you answered the door once; is that
23 correct?

24 A. To the best of my memory, it was one time, and a
25 black female was knocking and pounding on the door. My

A. SCHOOLCRAFT

1 father answered it. She convinced him to convince me to.
2 I believe, they gave me a letter.

3 Q. So she is the individual who you referred to as
4 having her hand on her service weapon?

5 A. No, it was a male standing on the stairs out of
6 the view of the camera.

7 Q. Can you describe that male?

8 A. Approximately, well, he was standing on a step.
9 I would say he was about five ten. He was the same male
10 sitting with Lieutenant Gough as they were posted outside
11 in my apartment complex. He had a mustache, and I believe
12 gray and white colored hair, mustache and hair. But that
13 wasn't Gough that had his hand on his gun.

14 Q. What ethnicity was this individual, to the best
15 of your ability?

16 A. Which one?

17 Q. The male?

18 A. The one with his hand on his gun?

19 Q. Yes.

20 A. White male.

21 Q. About how old?

22 A. Approximately thirty-five to forty-five years
23 old.

24 Q. On what date did this occur where you opened the
25 door for the officers?

A. SCHOOLCRAFT

1 A. I don't recall the specific date.

2 Q. Can you give me a month and a year?

3 A. I am sure we can.

4 Q. Sitting here today, can you?

5 A. Not off the top of my head, no.

6 Q. Do you recall if it was in 2009?

7 A. It may have been.

8 Q. It is your belief today that you only opened the
9 door on one occasion; is that correct?

10 A. I believe so.

11 Q. Do you believe the officers who visited your home
12 in John's Town were doing so in order to silence you?

13 A. To intimidate me.

14 Q. But not to silence you?

15 A. That would fall under intimidation, yes, silence
16 me, I would agree with that.

17 Q. What they do that communicated to you they wanted
18 to silence you?

19 MR. SMITH: Other than want he already
20 testified about?

21 A. Their behavior, standing outside my apartment,
22 banging on the doors, disturbing the neighbors, calling the
23 local police getting them involved, posting themselves at
24 my apartment door, outside my apartment building at the
25 entrance and exit of my apartment complex.

A. SCHOOLCRAFT

1 Q. Did the officers ever say anything specifically
2 to you that indicated to you they were trying to silence
3 you?

4 A. I don't recall any specific comment.

5 Q. Would anything refresh your recollection about
6 whether they said anything to you?

7 A. It is possible.

8 Q. What?

9 A. I don't know.

10 Q. There is nothing you can think of today?

11 A. Not that I am aware of today.

12 Q. Did any officers threaten you since October 31st,
13 2009.

14 A. That officer with his hand on his gun and the
15 other one banging on the door.

16 Q. They threatened you by knocking on the door?

17 A. Banging on the door, kicking the door.

18 Q. How do you know they were kicking the door?

19 A. They left scuff marks on the bottom of the door.

20 Q. You checked the door before and after they
21 arrived?

22 A. Correct.

23 Q. How many times did they kick your door?

24 A. At least once, at least one occasion where they
25 were kicking the door and there were scuff marks.

A. SCHOOLCRAFT

1 Q. Did they say anything to threaten you?

2 A. I don't recall any specific comments.

3 Q. Did they say anything to threaten your father?

4 A. I don't recall any specific comments made towards
5 him.

6 Q. When was last the time NYPD officers visited you
7 in upstate New York?

8 A. I don't know.

9 Q. You don't know?

10 A. Correct.

11 Q. When was the last time you know of officers
12 visiting you in upstate New York?

13 A. I don't recall any specific date or time but I
14 believe it went on through late 2010, to the best of my
15 memory.

16 Q. Do you believe the officers visited you in 2011?

17 A. I am not aware of it, no.

18 Q. What about 2012?

19 A. Not that I am aware of.

20 Q. How many times did NYPD officers visit you in
21 upstate New York?

22 A. Off the top of my head, sitting here right now, I
23 don't recall.

24 Q. Can you give me an approximation?

25 A. Six times approximately.

A. SCHOOLCRAFT

1 Q. When did they start visiting you in upstate New
2 York?

3 A. I think December 2009.

4 Q. Your Second Amended Complaint states that a
5 defendant yelled, NYPD, we know you are in there in open
6 up. In December 2009, do you know which defendant officer
7 allegedly yelled that?

8 A. No.

9 Q. How many times did an officer yell NYPD we know
10 you're in there open up?

11 A. At least once.

12 Q. Was it a male voice or a female voice?

13 A. I believe it was male.

14 Q. Did you look through your peephole when you heard
15 that?

16 A. I may have, but they were, it was covered with
17 something.

18 Q. You can't describe that officer?

19 A. No.

20 Q. Did you say anything in response to the officer
21 stating NYPD we know you're in there open up?

22 A. I don't recall making any response.

23 Q. Why not?

24 A. If they knew I was in there, were they going to
25 kick the door in again? I don't know. I had no response

A. SCHOOLCRAFT

1 to give them.

2 Q. Do you know why the officers were at your
3 apartment?

4 MR. SMITH: Objection to form.

5 A. To intimidate and harass me.

6 Q. At the time is that what you believed?

7 A. I believe that now.

8 Q. Do you believe that is the only reason officers
9 visited your home in John's Town, New York?

10 A. Yes.

11 Q. Which officer allegedly spied through your
12 bedroom window?

13 A. I don't know.

14 Q. Could you describe that officer?

15 A. He was wearing a puffy jacket, short, buzz cut,
16 his skin was darker than white, approximately thirty to
17 thirty-five years old, wearing jeans.

18 Q. So this is a male?

19 A. Correct.

20 Q. Any other identifying characteristics of this
21 individual?

22 A. His hair, if it wasn't buzzed, it was short
23 cropped, neat, dark-colored hair.

24 Q. Had you seen this individual on any other
25 occasions?

A. SCHOOLCRAFT

1 Hanley, attempted to silence, harass or otherwise harm you;
2 is that correct?

3 MR. SMITH: Do you want to show him the
4 Complaint? It is a ninety-five page document so
5 you are asking him does he have a recollection of
6 that allegation in the Second Amendment
7 Complaint?

8 MS. METTHAM: No, I am wondering if that is
9 an allegation of his.

10 Q. Do you believe defendant, Hanley, attempted to
11 silence, harass or otherwise harm you?

12 A. Yes.

13 Q. How did he attempt to harm you?

14 A. If he was one of the officers there.

15 Q. When you say there on October 31st, 2009?

16 A. That and post October 31st, 2009 upstate.

17 Q. What officers tried to harm up in upstate New
18 York following October 31st, 2009?

19 A. I believe any officer, especially the ones
20 banking on the door. I don't know what their intent was.
21 I believe their intent was to harm me.

22 Q. Do you have any statements they gave you to
23 support that belief?

24 A. Off the top of my head right now, I don't recall
25 any statements.

A. SCHOOLCRAFT

1 Q. Do you have any recording that with substantiate
2 your claim that officers tried to harm you in upstate New
3 York?

4 A. I don't recall hearing any recordings.

5 Q. When was the last time you saw defendant, Hanley?

6 A. I don't know what he looks like. I don't know
7 who he is.

8 Q. Have you ever interacted with defendant, Hanley,
9 before October 31st, 2009?

10 A. Who.

11 Q. Defendant, Hanley?

12 A. I am not aware if I did.

13 Q. Do you have any reason to believe defendant,
14 Hanley, was aware of your recordings at the 81st Precinct
15 before the "Village Voice" article was published?

16 A. I don't know.

17 Q. Is there anything that would refresh your
18 recollection about that?

19 A. About?

20 Q. Whether or not you believe he was aware of the
21 recordings before the "Village Voice" article?

22 A. It is possible.

23 Q. It is possible you would have a document that
24 would refresh your recollection?

25 A. Not that I have. I haven't seen anything that

A. SCHOOLCRAFT

1 indicates he knew, whoever he was, knew anything.

2 Q. Did defendant, Hanley, ever work at any precincts
3 at the same time you were assigned there?

4 A. His name does not sound familiar.

5 Q. Prior to October 31st, 2009 had you any made any
6 IAB complaints against defendant, Hanley?

7 A. I don't believe so.

8 Q. Are you alleging defendant, Hanley, conspired
9 against you with any other defendants in this matter?

10 A. I believe that is alleged in the complaint.

11 Q. How do you believe he conspired with other
12 defendants?

13 A. If he was one of the officers that showed up
14 Halloween night and post October 31st, 2009 upstate in
15 John's Town at my home or my apartment at that time.

16 Q. If defendant, Hanley, was not present at your
17 apartment on October 31st, 2009, how do you believe he
18 conspired with other defendants in this matter?

19 MR. SMITH: Objection to form.

20 A. I am not aware of him having any other
21 involvement or any involvement at all.

22 Q. Can you please physically describe defendant,
23 Robert O'Hare?

24 A. I don't believe I know who that is.

25 Q. Why are you suing him?

A. SCHOOLCRAFT

1 A. I believe my attorneys found out who was driving
2 up to my apartment in John's Town, New York.

3 Q. You believe he is an individual who drove up to
4 your apartment in John's Town, New York?

5 A. That's what my attorneys believe so.

6 Q. Do you have any reason to believe that personally
7 aside from what your attorneys have told you?

8 A. No.

9 MR. SMITH: I just want to caution you Mr.
10 Schoolcraft.

11 MS. METHAM: I said aside from what your
12 attorneys told you.

13 MR. SMITH: Stop interrupting me. Your
14 persistent interrupting is very unprofessional.
15 Officer Schoolcraft, I want to remind you if you
16 are asked a question, if you have any knowledge
17 or aware of, on its face could you call for
18 information about discussions you may have had
19 with your counsel, I just want to remind you, you
20 are not to reveal any privileged communications.

21 Q. When you did not answer the door to officers when
22 living in John's Town, New York, was that because you knew
23 the officers were trying to serve you with papers?

24 A. If they were trying to serve me with papers, I
25 instructed my PBA attorney, Stuart London, well, I asked

A. SCHOOLCRAFT

1 is.

2 Q. So do you have any reason to believe that
3 defendant, Trainor, entered or searched any of your
4 residences at any time?

5 A. Other than there were several individuals who I
6 did not see or recognize on October 31st, 2009 he could
7 very well be one of those individuals. I have not seen
8 photographs.

9 Q. You have already described, I believe, five
10 individuals who visited you in John's Town. I am going to
11 list those five as I understand them right now. I believe
12 you stated there was a black female who answered the door,
13 that's number one. Number two, was a male, five foot ten,
14 with gray and white hair between the ages thirty-five to
15 forty-five, that was number two. Number three was William
16 Gough. Number 4 was, I believe, Duncan; is that Kurt
17 Duncan?

18 A. Correct.

19 Q. And then I believe you described a fifth
20 individual who was short with darker than white skin with a
21 buzz cut between ages thirty to forty-five that's number
22 five?

23 A. I believe I said thirty to thirty-five. He could
24 have been thirty to forty. He appeared much younger and
25 more agile. It may have just been the pose I saw him in.

A. SCHOOLCRAFT

1 MR. SMITH: That was guy the in the tree;
2 right.

3 THE WITNESS: Well, that appears to, at
4 least attempted to climb a tree or jumped out of
5 the tree.

6 Q. Did you ever see that individual in a tree?

7 A. No.

8 Q. Besides those five individuals I just listed how
9 many others individuals visited you in John's Town, New
10 York?

11 A. I believe there were more, but I don't recall
12 their descriptions. I recall one time seeing three
13 females. But I don't if they had been there before or not.

14 Q. Was the black female described as officer number
15 one, one of those three females?

16 A. I couldn't tell you.

17 Q. Could you describe those three females that
18 visited you in John's Town, New York that you believe were
19 from the NYPD?

20 A. At least one of them was a white female with hair
21 shoulder length and there was at least one black female. I
22 can't remember the third one, but I believe it was three.

23 Q. And you are not sure if the black female you are
24 describing to me now is the same as the one you described
25 earlier?

A. SCHOOLCRAFT

1 A. Which one?

2 Q. The black female.

3 A. There was a black female when I took a picture of
4 a male, there was a black female holding a camera, I could
5 not tell who she because. The black female holding the
6 camera when I saw the male with the white and gray hair or
7 dark, more salt and pepper style hair, and a mustache with
8 his hand on his gun, she was different than, well, that was
9 when the black female that I answered, that I met at the
10 door, she was in a headdress and dressed nicely. She
11 appeared in like an African garb. It was not pants and a
12 shirt. It was a covering.

13 Q. When you say headdress, what do you mean?

14 A. She was wearing something on her head.

15 Q. You lifted your hand approximately twelve inches
16 above your head. Was it that large?

17 A. It was up there. It was like, she was dressed, I
18 believe, it was purple. She didn't look messy. She looked
19 nice and calm and quiet.

20 Q. But you believed she was there to attempt to harm
21 you?

22 A. I don't believe she was, but that was the same
23 time the individual was standing on the stair with his hand
24 on his gun, in plain clothes, without a duty belt.

25 Q. How tall was this female you are describing?

A. SCHOOLCRAFT

- 1 A. Including the?
- 2 Q. Without the headdress.
- 3 A. I recall her being pretty tall.
- 4 Q. When you say pretty tall, what do you mean?
- 5 A. I think we were eye to eye. Not too far off.
- 6 Q. How tall are you?
- 7 A. Approximately six foot.
- 8 Q. Could you describe her in any greater detail?
- 9 A. Black female, the clothes she was wearing, I
- 10 don't know what they call it, it was a dress of some kind.
- 11 And I believe she was wearing something on her head, to the
- 12 best of my memory.
- 13 Q. You believe she was with the NYPD?
- 14 A. She introduced herself to the best of my memory.
- 15 Q. How did you she introduce herself?
- 16 A. I don't recall but the other black female had a
- 17 video camera. I am assuming it is on video.
- 18 Q. So at the time you opened door, and you saw a
- 19 black female in a headdress and full purple dress?
- 20 A. It may not have been purple, to the best of my
- 21 memory, she was dressed in nice clothing.
- 22 Q. On the date you saw this individual and opened
- 23 door and there was a male with her, was that also the same
- 24 occasion, there was another separate black female that was
- 25 recording from the car; is that correct?

A. SCHOOLCRAFT

1 A. No, she was there in the building recording the
2 contact with the this other female.

3 Q. So she was in the building as well?

4 A. Yes.

5 Q. So there were two black females and one white male
6 in your building at that time?

7 A. Correct, that I could see.

8 Q. Could you describe the other black female who was
9 present at that time?

10 A. The one holding the camera?

11 Q. Yes.

12 A. I don't remember. I think she was shorter, and I
13 believe she was wearing a hat, and plain clothes.

14 Q. When you say plain clothes, what do you mean?

15 A. It was just regular clothes. She was not in
16 uniform.

17 Q. Was she wearing jeans?

18 A. I don't recall.

19 Q. What she wearing a suit?

20 A. I don't recall.

21 Q. What kind of hat was she wearing?

22 A. I believe it was a, I don't know how you call it,
23 but a painter's cap or it had a brim on it, it wasn't a
24 baseball cap. I don't know what they call it.

25 Q. Was it a winter cap?

A. SCHOOLCRAFT

1 A. It could have been.

2 Q. What color was this?

3 A. I think she was in tan clothing, to the best of
4 my memory.

5 Q. Was she wearing glasses?

6 A. I don't recall.

7 Q. Did you speak to her?

8 A. No.

9 Q. Did she do anything to make you believe she
10 wanted to harm you?

11 A. I don't believe so. I don't recall. I don't
12 recall looking at her again after I looked at the
13 individual on the stairs.

14 Q. Did any of the black females that visited you at
15 your apartment do or say anything that made you believe
16 they wanted to harm you?

17 A. No.

18 Q. Did any of the black females who visited you at
19 your apartment in John's Town, New York do or saying
20 anything to threaten your father?

21 A. To the best of my memory, I don't recall hearing
22 female voices yelling.

23 Q. Did any of the black female officers who visited
24 you at John's Town, New York, do anything or say anything
25 that you took to be intimidation?

A. SCHOOLCRAFT

1 A. No, I don't recall any specific incident, no.

2 Q. You stated that at least one white female visited
3 your apartment; is that correct?

4 A. When the three females came, it appeared there
5 were no males, there was a white female.

6 Q. Did that white female do or say anything to make
7 you believe she wanted to cause you harm?

8 A. I don't recall any specific statement made by any
9 of them.

10 Q. Did she do anything that made you believe she
11 wanted to harm you in anyway?

12 A. I don't believe they were banging on the door
13 or --

14 Q. Did any female do anything that you took to be
15 intimidation when they visited you in John's Town, New
16 York?

17 A. Not that I recall right now.

18 Q. Turning back to defendant, Captain Trainor, do
19 you have any reason to believe that Captain Trainor falsely
20 manufactured any evidence against you?

21 A. Not that I am aware of.

22 Q. Do you have any reason to believe that defendant,
23 Captain Trainor, did anything to silence, harass or
24 otherwise harm you?

25 A. I don't have any knowledge of that, no.

A. SCHOOLCRAFT

1 seized any of your property at any time?

2 A. Not that I am aware of.

3 Q. Do you believe the defendant, Sondra Wilson, had
4 anything to do with your confinement at your Jamaica
5 Hospital Medical Center?

6 A. Not that I am aware of.

7 Q. Do you believe that defendant, Sondra Wilson,
8 falsely manufactured any evidence against you?

9 A. Not that I am aware of.

10 Q. Do you believe that defendant, Sondra Wilson, has
11 attempted to silence, harass, or otherwise harm you?

12 A. If she's one, again, you are throwing the silence
13 in there, if she was one of the officers upstate I would
14 throw her in the silence category. But I don't recall ever
15 hearing a female voice bark out we are here open up. I
16 don't know of any of them kicking the door or banging on
17 the door.

18 Q. Do you believe by simply going to John's Town,
19 New York officers were trying to silence you?

20 A. Yes.

21 Q. So you said you had interacted with a Sergeant
22 Sondra Wilson before October 31st, 2009?

23 A. I believe that was her name. That name sounds
24 familiar.

25 Q. In what circumstances, did you interact with